



UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA

vs.

ALTO PARNELL

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No. 3:11-cr-00012-22  
Senior Judge Wiseman

**MOTION FOR SEVERANCE OF DEFENDANTS AND  
INCORPORATED MEMORANDUM OF LAW**

Defendant, Alto Parnell ("Parnell"), by and through his undersigned counsel, and pursuant to Federal Rules of Criminal Procedure 8(a)&(b), 12(b) and 14, hereby respectfully moves the Court for an Order severing Mr. Parnell (22) from all of the remaining defendants (1-21, 23-28) charged in the indictment. (DE 202) In support of this Motion, Parnell states as follows:

The indictment charges 28 individuals with conspiracy to distribute and possess with intent to distribute: (1) "500 grams or more of . . . [powder] cocaine;" and, "280 grams or more of . . . cocaine base [crack]." *Id.* The indictment simply recites a series of drug transactions and the dates on which they allegedly took place. The indictment fails to explain the connection between those individual transactions and those defendants not directly charged with it. As a result the Defendants are not properly joined pursuant to Fed.R.Crim.P. 8(b) (defendants may be charged in the same indictment if they are alleged to have participated in the same act constituting an offense).